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EXAMINER

SWEARINGEN, JEFFREY R

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,503

Applicant(s)

WAHL, STEFAN

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on not filed is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This action is responsive to communications filed 2/5/2005. This action is made **FINAL**.

Drawings

2. Applicant has respectfully submitted that drawings are not required in every application, stating "If the Examiner feels that a drawing is necessary, the Examiner is respectfully invited to explain with particularity why this is the case in this situation."

3. In response to Applicant's argument against the addition of drawings to the application, the Examiner respectfully recites sections of 37 CFR 1.81-1.85 below.

THE DRAWINGS

§ 1.81 Drawings required in patent application.

(a) The applicant for a patent is required to furnish a drawing of his or her invention where necessary for the understanding of the subject matter sought to be patented; this drawing, or a high quality copy thereof, must be filed with the application. Since corrections are the responsibility of the applicant, the original drawing(s) should be retained by the applicant for any necessary future correction.

(b) Drawings may include illustrations which facilitate an understanding of the invention (for example, flowsheets in cases of processes, and diagrammatic views).

(c) Whenever the nature of the subject matter sought to be patented admits of illustration by a drawing without its being necessary for the understanding of the subject matter and the applicant has not furnished such a drawing, the examiner will require its submission within a time period of not less than two months from the date of the sending of a notice thereof.

[43 FR 4015, Jan. 31, 1978; para. (a), 53 FR 47809, Nov. 28, 1988, effective Jan. 1, 1989]

§ 1.83 Content of drawing.

(a) The drawing in a nonprovisional application must show every feature of the invention specified in the claims. However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box).

(b) When the invention consists of an improvement on an old machine the drawing must when possible exhibit, in one or more views, the improved portion itself, disconnected from the old structure, and also in another view, so much only of the old structure as will suffice to show the connection of the invention therewith.

(c) Where the drawings in a nonprovisional application do not comply with the requirements of paragraphs (a) and (b) of this section, the examiner shall require such additional illustration within a time period of not less than two months from the date of the sending of a notice thereof. Such corrections are subject to the requirements of § 1.81(d).

[31 FR 12923, Oct. 4, 1966; 43 FR 4015, Jan. 31, 1978; paras. (a) and (c) revised, 60 FR 20195, Apr. 25, 1995, effective June 8, 1995]

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4. The Examiner reasserts the position that drawings are required for the enablement of the invention. The reasons for requiring drawings are not limited to the following reasons, which the Examiner respectfully notifies Applicant of.

5. To assist in understanding the implementation of the invention, a diagram demonstrating a point-to-multipoint network is requested to show an embodiment of the invention. To assist in understanding the implementation of the invention, a diagram demonstrating a multipoint-to-point network is requested to show an embodiment of the invention. A diagram showing a suggested way of selecting a QoS category would be useful in assisting one of ordinary skill in the art in implementing the invention. A flowchart comparing the old method of QoS selection to the new method of QoS selection would assist one of ordinary skill in the art in determining the improvements of this invention upon the prior art. The specification describes the mainframe communicating a selection list for selecting a QoS category, using a cross or similar. [page 6, line 30 – page 7, line 19] The specification also shows the implementation of tables for keeping track of information. The specification also describes a configuration which is stored. Applicant should at minimum show examples of these items to allow one of ordinary skill in the art to see a possible way of implementing the invention, furthering its enablement. The specification on page 8 describes a customer being informed by a resources management unit about QoS categories with default parameters by use of a special software management tool. The Examiner requests that Applicant submit sample outputs of the software management tool, sample screens of the software management tool, and a flowchart for operation of the software management tool. The specification on page 10 describes an announcement relating to fees being transmitted to the user. Applicant should include a drawing illustrating a possible announcement relating to fees that is transmitted to the user. The specification points to use of icons for selection of QoS on page 11, line 17. Applicant is requested to furnish a drawing illustrating said icons. Applicant should also update the specification with reference characters pointing to the drawings that have been minimally requested. Applicant is further respectfully urged by the Examiner to include additional drawings to fully ensure that the invention can be enabled by a person of ordinary skill in the art. It can be argued that the specification fulfills the requirements of a person of ordinary skill in the art to enable the invention. The Examiner reasserts that examples of the above items

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plus additional illustrations are necessary to allow a person of ordinary skill in the art to fully grasp the scope of Applicant's invention.

A substitute specification with drawing references and drawings must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

Specification

6. The Examiner has reexamined the newly submitted title, "Method of Supplying Quality of Service Management." The title of the invention is still not fully descriptive of Applicant's invention to the extent that the Examiner would like. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is newly suggested: Method of Supplying Alternative Quality of Service Management Utilizing User Selection to Override Pre-Allocated Quality of Service Categories During a Connection.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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2. **Claims 11-12** rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. **Claims 11-12** refer to a terminal. Claim 11 defines terminal as a *data carrier with a computer program*. Data carrier is broad and undefined. It is unclear what scope of coverage is sought by Applicant. A piece of paper can fit the definition of data carrier as given in claim 11. Applicant is strongly advised to clearly define data carrier. Claim 12 further defines terminal as *a cable modem, a personal computer, a telephone, a television set, a radio station or a mobile radio unit*. It is unclear how a data carrier with a computer program can be a cable modem, a personal computer, a telephone, a television set, a radio station or a mobile radio unit. Applicant is advised to avoid any modifications involving new matter.

4. For purposes of compact prosecution claim 11 is treated as a *computer program according to claim 9*. For purposes of compact prosecution claim 12 is treated as a terminal *comprising a personal computer*.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. **Claims 11-12** rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

7. Regarding **claims 11-12**, Applicant describes a data carrier comprising a computer program. A data carrier is not necessarily a computer-readable medium. Because the program is not on a computer-readable medium, it is considered non-statutory. See MPEP 2106(IB)(B)(1)(a). Even in cases where nonfunctional descriptive material is recorded on some computer-readable medium, it is not statutory since no requisite functionality is present to satisfy the practical application requirement. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make it statutory. Such a result would exalt form over substance. See *In re Sarkar*, 588 F.2d 1330, 1330, 200 USPQ 132, 137 (CCPA 1978). "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data, i.e. a program, such as the one claimed. Where certain

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types of descriptive material, such as music, literature, art, photographs and mere arrangements or compilations of facts or data, are merely stored so as to be read or outputted by a computer without creating any functional interrelationship, either as part of the stored data or as part of the computing processes performed by the computer, then such descriptive material alone does not impart functionality either to the program, or to the computer. See MPEP 2106(IV)(B)(1)(b). The invention, as presently claimed, clearly recites a program without a hardware relationship allowing said program to be stored in order for said program to be executed by a computer. Examiner suggests that Applicant amend claims 11-12 to utilize a "computer-readable medium" in order to overcome the rejection based upon 35 U.S.C. 101.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1-3, 6, 8-11, 13** rejected under 35 U.S.C. 102(e) as being anticipated by Hattori et al. (U.S. Patent No. 6,094,674).

10. Regarding **claim 1**, Hattori discloses *a method of supplying a service or an application, comprising the steps: a service required by a customer or an application required by the customer is linked to a QoS category selected by the customer and the required service or the required application is supplied to the customer with the QoS category selected by the customer* (Hattori discloses a customer selecting a service and choosing the QoS to provide the service. See Figures 10 and 11. See Abstract. See column 3, lines 36-53. See column 4, lines 36-67.). By this rationale **claim 1** is rejected.

11. Regarding **claim 2**, Hattori discloses *a request to supply a service or an application is received from a terminal of the customer, a request to select one of at least two QoS categories is transmitted to the customer, the selected QoS category is received from the terminal and the requested service or the*

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requested application is supplied with the selected QoS category (See column 13, lines 1-21. See Figure

11. See Abstract.). By this rationale **claim 2** is rejected.

12. Regarding **claim 3**, the limitations of this claim are substantially the same as those in claim 2. Therefore the same rationale for rejecting claim 2 is used to reject claim 3. By this rationale **claim 3** is rejected.

13. Regarding **claim 6**, the limitations of this claim are substantially the same as those in claim 1. Therefore the same rationale for rejecting claim 1 is used to reject claim 6. By this rationale **claim 6** is rejected.

14. Regarding **claim 8**, Hattori discloses *said mainframe being structured as a resources management unit, a head end or a base station* (Hattori discloses an information processing system with an agent function that controls apparatuses and supervises performance. Examiner considers this a resources management unit. See Hattori, column 2, lines 33-61). By this rationale **claim 8** is rejected.

15. Regarding **claim 9**, Hattori discloses *enable selection of at least one QoS category when the computer program is run on a computer* (See Hattori, Figure 11. See Hattori, Abstract. See Hattori, column 13, lines 1-10.). By this rationale **claim 9** is rejected.

16. Regarding **claim 10**, Hattori discloses *enabling selection of parameters of at least one QoS category* (Hattori teaches a "set details" QoS option where the user defines the communication route selection. See Hattori, column 13, lines 15-16.). By this rationale **claim 10** is rejected.

17. Regarding **claim 11**, the limitations of this claim are substantially the same as those in claim 9. Therefore the same rationale for rejecting claim 9 is used to reject claim 11. By this rationale **claim 11** is rejected.

18. Regarding **claim 13**, the limitations of this claim are substantially the same as those in claim 1. Therefore the same rationale for rejecting claim 1 is used to reject claim 13. By this rationale **claim 13** is rejected.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. **Claims 4 and 7** rejected under 35 U.S.C. 103(a) as being unpatentable over Hattori in view of Yamamura et al. (U.S. Patent No. 6,028,838).

21. Regarding **claim 4**, Hattori is applied as in claim 1. Hattori fails to disclose *a saved pre-selection of a QoS category by the customer is accessed, the service required by the customer or the application required by the customer is linked to the QoS category pre-selected by the customer and the required service or the required application is supplied to the customer with the QoS category selected by the customer.*

22. Yamamura discloses *a saved pre-selection of a QoS category by the customer is accessed, the service required by the customer or the application required by the customer is linked to the QoS category pre-selected by the customer and the required service or the required application is supplied to the customer with the QoS category selected by the customer.* [See Yamamura, column 3, line 65 – column 4, line 5. See Yamamura, figure 7, item 49. See Yamamura, figure 10B.]

23. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to pre-determine a service as taught by Yamamura in a QoS selection system taught by Hattori for the purpose of efficiently selecting a service provider [See Yamamura, column 10, line 18-25]. Hattori gives motivation to combine the two teachings by stating that the user interface handles connections based on the user's operation procedure [see Hattori, column 7, line 24-column 8, line 17]. By this rationale, **claim 4** is rejected.

24. Regarding **claim 7**, the limitations of this claim are substantially the same as those in claim 4. Therefore the same rationale for rejecting claim 4 is used to reject claim 7. By this rationale **claim 7** is rejected.

25. **Claim 5** rejected under 35 U.S.C. 103(a) as being unpatentable over Hattori in view of Yamato et al. (U.S. Patent No. 6,094,431).

26. Regarding **claim 5**, Hattori is applied as in claim 1. Hattori fails to disclose *a supplied QoS category can be changed by the customer during the period of supply or an application by transmitting a new QoS category.*

27. However, Yamato teaches *a supplied QoS category can be changed by the customer during the period of supply or an application by transmitting a new QoS category* [Yamato teaches changing the amount of resource reserved in a virtual connection for transferring data packets. See Yamato, column 3, lines 37-56].

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28. It was obvious to one of ordinary skill in the networking art at the time of the invention to combine Yamato's teaching of altering the QoS of a connection with the teachings of Hattori because of a problem with undesirable increase of packet transfer delay [See Yamato, column 2, lines 28-43]. Hattori gives motivation to combine the references by stating that the content of the services delivered to the users can be altered [Examiner considers content of the service to include QoS parameters. See Hattori, column 20, lines 47-60]. By this rationale **claim 5** is rejected.

29. **Claim 12** rejected under 35 U.S.C. 103(a) as being unpatentable over Hattori in view of How Networks Work.

30. Regarding **claim 12**, Hattori is applied as in claim 11. Hattori fails to disclose that a terminal can be comprised of *a cable modem, a personal computer, a telephone, a television set, a radio station, or a mobile radio unit*.

31. However, How Networks Work discloses that a personal computer can function as a terminal. (See pages 62-63.).

It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to use a personal computer as a terminal in the invention described by Hattori since How Networks Work teaches a personal computer can function as a terminal and as an access point to a mainframe or server (see How Networks Work, page 63). Hattori gives motivation to combine the references by stating that terminals connect to servers (see Hattori, column 9, lines 39-59). By this rationale **claim 12** is rejected.

Response to Arguments

7. Applicant's arguments filed 2/4/2005 have been fully considered but they are not persuasive.

8. Applicant has argued that drawings are necessary for the application. The Examiner believes that this argument has been discussed to the extent necessary previously in this office action.

9. The Examiner has withdrawn the objection to the arrangement of the specification. As stated previously, the Examiner has requested that the specification be updated to reflect all drawings to be submitted with reference characters, while still avoiding the addition of new matter.

10. The Examiner appreciates Applicant's attempt to amend the title closer to the intent of the invention. Unfortunately Applicant's newly submitted title does not fit what the Examiner believes is the

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true spirit and scope of the invention. Therefore, the Examiner has suggested above an even more specific title than previously suggested in order to fully assist one of ordinary skill in the art in quickly grasping the intended use of the invention.

11. Applicant has argued that the rejections of claims 11 and 12 over 35 U.S.C. 112, second paragraph should be withdrawn. Applicant argues that claims 11 and 12 refer to a terminal as a data carrier with a computer program.

12. In response to Applicant's arguments, the recitation *terminal* has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

13. Applicant has sufficiently amended claims 9, 10 and 13 to qualify as statutory subject matter, and accordingly the rejection over 35 U.S.C. 101 to those claims has been removed. The rejection to claims 11-12 is maintained, because a data carrier is still not necessarily a computer-readable medium, regardless of what is listed by Applicant in the preamble of the claim.

14. Furthermore, if the term *terminal* were applied to claims 11-12, the Examiner could still argue multiple embodiments of the terminal that were not computer-readable media based upon the breadth of the term *terminal*. The Examiner freely points to the definition of *terminal* in The American Heritage College Dictionary, fourth edition, which gives five possible noun definitions of *terminal* and five possible adjective definitions of *terminal*. The Authoritative Dictionary of IEEE Standards Terms, seventh edition, gives two pages of definitions using the word *terminal* in multiple forms. The Microsoft Computer Dictionary, fifth edition, gives at least three different definitions for *terminal*.

15. Applicant argues that in the Hattori reference, "there is no indication that a service required of a customer is linked to a QoS category selected by the customer. Further there is no indication that the service is supplied to the user according to the QoS category selected by the customer."

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16. In response to Applicant's arguments, the Examiner points to Hattori, column 2, lines 49-61 in addition to the previously cited portions of Hattori. Specifically, in Hattori, column 3, lines 36-53, "the agent function includes a user associated operation for conducting a customizing operation for each user and then supplying the service information to the user." In Hattori, column 4, lines 64-67, "the agent function further includes generating a QOS menu for each of the services and supplying the user with the QOS menu." Figures 10-17, 25 and 27 clearly indicate a user selecting a service and then selecting a QOS category for providing that service. Applicant claims that there is no indication that the service is supplied to the user using the selected QOS category. The Examiner strongly asserts the fact that the invention has selected a service, and then selected a category for providing that service as shown clearly in the figures aforementioned. Providing such a service at a certain level of QOS after selecting that a certain service be provided at said level of QOS seems inherent to the Examiner unless the Hattori invention was created just to illustrate how to make menus for a computer system that accomplish no functionality. This does not seem to be the intent of Hattori. In fact, if Hattori had no functionality, it would not meet the criteria of 35 U.S.C. 101, which states that a patent is for a new or useful process, and would have not been issued a patent.

17. In response to applicant's argument that Yamamura is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Applicant argues that Yamamura is not relevant art because it deals with selection of a service provider. The Examiner points Applicant to Yamamura, column 1, line 64 – column 2, line 6, which clearly show selecting a service provider based upon the quality of service required and the service providers ability to provide that quality of service. If a service provider can provide a certain level of quality of service, you could consider it falling within a quality of service category.

18. Applicant's arguments concerning Yamato fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

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19. Applicant argues that How Networks Work may not qualify as prior art. The Examiner contends that How Networks Work is a reference consisting of prior art well known within the networking art. The point of illustrating a PC is a terminal is simply to clarify to Applicant the knowledge of this in the art, rather than simply applying Official Notice. However, if Applicant reads the reference, Applicant would see that the reference clearly and distinctly states that a personal computer was available in the late 1970s. The claim is arguing that a terminal can be a personal computer. The reference clearly states that the functionality of a personal computer is far beyond the functionality of a terminal upon the invention of the personal computer.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS

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